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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/057,786	04/08/1998	JAY ALAN BORSETH	MS1-240US	6777

22801 7590 04/07/2004

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EXAMINER

TRAN, HAI V

ART UNIT	PAPER NUMBER
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2611

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DATE MAILED: 04/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/057,786

Applicant(s)

BORSETH, JAY ALAN

Examiner

Hai Tran

Art Unit

2611

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: 1-44.

Claim(s) objected to: _____.

Claim(s) rejected: 1-10 and 12-44.Claim(s) withdrawn from consideration: 11.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____


HAI TRAN
PATENT EXAMINER

Continuation of 5. does NOT place the application in condition for allowance because: Applicant's arguments are not persuasive. In response to Applicant's question regarding whether the references www.geo-orbit.org/sizepgs/ntscp.html and www.itu.int/ITU-T/publications/index.html are used in the final rejection or not of claims 1-10, 13-39 and 43-44, the Examiner respectfully submits that "No", they are not directly used or applied into the final rejection; However, they are used to support the Examiner's position regarding the Non-Final Office Action paper #17; dated 04/15/03 in which the Applicant argues that Yoshida's "destination codes" do not necessarily reference a "country table listing a plurality of countries" and "Nalbandian does not show a country table listing a plurality of countries..." In this instant case, www.geo-orbit.org/sizepgs/ntscp.html is used to further support the Examiner's analogy of using a table of country code is well known in the art in which Yoshida at Col. 3, lines 14-17 clearly describes initializing televisions destined for Japan, Europe and the USA such that Japan and USA are countries. Since Japan is a country within Asia continent and USA is a country within American continent, it is fair to conclude that Yoshida must set up at least a table of countries of at least two countries, i.e., Japan and USA in order to function as disclosed, and www.itu.int/ITU-T/publications/index.html is used to further support Examiner's assertion that Nalbandian discloses a country table list according to ITU code and wherein the country table is in relation with corresponding Table of Frequency allocations for broadcasting purpose on each state/country is well known by recommendation of ITU-R in which is part of ITU's core functions (ITU-R, ITU-T and ITU-D) that includes "Television signal" as described in ITU-Broadcasting service (television) from www.itu.int/ITU-T/publications/index.html.

Applicant argues, "Yoshida does not describe how such programs perform the corresponding channel setting or circuit selection functions for the destination country. Specifically, the reference includes no explicit or implicit teaching for "multiple channel-to-frequency mapping tables correlating channel numbers to corresponding frequencies for associated countries in the country table..." as in claim 1.

In response, Yoshida discloses a television set with proper program codes stored in a microcomputer wherein the system identifies the receiving country code by the remote control and selects and executes a proper program corresponding to the receiving country code by performing necessary preparation such as band and channel setting according to the receiving country code (Col. 3, lines 1-18). In order to perform such function, Yoshida's system must have a table of plurality of countries code (minimum two countries, i.e. Japan and USA) in order to configure the system to associate the corresponding country code to the channel-to-frequency of the corresponding country code in order to function as disclosed.

Yoshida does not clearly disclose, "The country table lists the countries according to an ITU code and wherein the country table is in relation with corresponding Table of Frequency allocations"; However, Yoshida discloses the system performs necessary preparation such as band and channel setting according to the receiving country code (Col. 3, lines 14-17).

Nalbandian discloses the country table lists the countries according to an ITU code (see attached ITU table list "ITU member states") and wherein the country table is in relation with corresponding Table of Frequency allocations for broadcasting purpose on each state or countries is well known by Recommendation ITU-R (page 3; section 4.1); Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Yoshida's table country code with country table list according to ITU standard and wherein the country table references to an associated channel-to-frequency mapping table for the selected country, as taught by Nalbandian, so to take the advantage of the ITU standard and moreover to simplify the Table of Frequency Allocations, ease coordination requirements, promote equipment availability for international markets and reduce production cost, thus helping to meet the requirements of developing countries in particular, see page 3.

Claim 12, Applicant argues, "there is no teaching by either reference to suggest that the destination code input according to Yoshida could retrieve band and channel settings. Rather, Yoshida initiates a program to initialize the television microcomputer according to the destination of the television. That is, from one destination to another, Yoshida reconfigures the band and channel settings of the television, and the reference makes no mention of band or channel retrieval capabilities. Thus Yoshida and the Owner's Manual are not to be combined by one of ordinary skill."

In response, the Examiner respectfully disagrees with Applicant because Applicant cannot show non-obviousness by attacking Yoshida's reference individually where the rejection is based on combinations of references Yoshida in view of Honda Accord 1996 Owner's Manual, page 89.

In this case, Yoshida discloses a television system able to tune to various television frequencies carrying television video signals upon transporting the tuner to a new local (input a country code); to scan multiple channels within a particular locale (country) for corresponding frequencies and to store the tuning frequencies for the particular local (country) (Col. 3, lines 5-18);

Yoshida does not disclose, "Upon transporting the tuner back to the particular local, the tuner retrieves the stored tuning frequencies to restore operation in the particular local."

Honda Accord's Audio system discloses a method of configuring a tuning system for operation in a first locale by determining tuning frequencies for an associated set of channels; storing the tuning frequencies for the first locale; upon transporting the tuning system to a second locale, reconfiguring the tuning system for operation in the second locale; and upon transporting the tuning system back to the first locale, retrieving the stored tuning frequencies to restore operation in the first locale. Wherein the configuring step comprises the step of scanning for optimal tuning frequencies for the associated set of channels (see whole disclosure of page 89). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Yoshida to retrieve the stored tuning frequencies of the first locale from the memory and to restore operation of the first locale, upon transporting the tuning system back to the first locale, as taught by Honda, so to provide to user a convenience way to retrieve back previous storing programs from the first local as taught by Honda.